

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

CHRISTOPHER J. WALSH, as he is ADMINISTRATOR,  
CONSTRUCTION TEAMSTERS HEALTH AND  
WELFARE FUND and INTERNATIONAL  
BROTHERHOOD OF TEAMSTERS, LOCAL 379,  
Plaintiffs

C.A. No. 05-10010 EFH

vs.

HILEE, INC.,  
Defendant

and

GIOIOSO BROS., INC. and THE MCCOURT  
CONSTRUCTION COMPANY, INC.,  
Reach-and-Apply Defendants

and

FLEET BANK,  
Trustee

**NOTICE OF DISMISSAL**

Now come the Plaintiffs, Christopher J. Walsh, as he is Administrator, Construction Teamsters Health and Welfare Fund, et al., pursuant to Rule 41(a)(1), Fed.R.Civ.P., to notify the Court that Plaintiffs' claim against Reach-and-Apply Defendant Gioioso Bros., Inc. is dismissed.

Respectfully submitted,

CHRISTOPHER J. WALSH, as he is  
ADMINISTRATOR, of the  
CONSTRUCTION TEAMSTERS  
HEALTH AND WELFARE FUND, et al,

By their attorneys,

/s/ Gregory A. Geiman  
Anne R. Sills, Esquire  
BBO #546576  
Gregory A. Geiman  
BBO #655207  
Segal, Roitman & Coleman  
11 Beacon Street  
Suite #500  
Boston, MA 02108  
(617) 742-0208

Dated: July 11, 2005

**CERTIFICATE OF SERVICE**

This is to certify that a copy of the above Notice of Dismissal has been served by first class mail upon Defendant, Hilee, Inc. at 100 Tremont Street, Everett, MA 02149, and upon Reach-and-Apply Defendants, Gioioso Bros., Inc. at 50 Sprague Street, Hyde Park, MA 02136, and The McCourt Construction Company, Inc. at 60 K Street, South Boston, MA 02127 this 11<sup>th</sup> day of July, 2005.

/s/ Gregory A. Geiman  
Gregory A. Geiman, Esquire